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United States Senate

COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

February 12, 2004

The Vice President
The White House
Washington, D.C. 20500

Dear Mr. Vice President:

I am writing to inquire about two intelligence matters related to Iraq: the first concerning weapons of mass destruction, and the second concerning alleged cooperation between Iraq and al Qaeda.

On January 22, 2004, you made the following comment during an interview with National Public Radio concerning two trailers in Iraq:

"we know for example that prior to our going in that he had spent time and effort acquiring mobile biological weapons labs, and we're quite confident he did, in fact, have such a program. We've found a couple of semi trailers at this point which we believe were, in fact, part of that program.... I would deem that conclusive evidence, if you will, that he did in fact have programs for weapons of mass destruction."

In his speech on February 5, 2004, Director of Central Intelligence George Tenet said that "there is no consensus within our community over whether the trailers were for that use [biological weapons] or if they were used for the production of hydrogen."

David Kay, former leader of the Iraq Survey Group, testified to Congress on October 2, 2003 that "we have not yet been able to corroborate the existence of a mobile BW [biological warfare] production effort." He indicated that the ISG was still trying to determine "whether there was a mobile program and whether the trailers that have been discovered so far were part of such a program."

In July, David Kay was interviewed by BBC television for a program that aired in England in late November, and here in the United States on January 22, 2004. In response to a question as to whether he thought it had been premature for the Administration to assert in May that the two trailers were intended to produce biological weapons agents, Kay said "I think it was premature and embarrassing." He said "I wish that news hadn't come out," and concluded "I don't want the mobile biological production facilities fiasco of May to be the model of the future."

On January 28, 2004, Dr. Kay stated in testimony before the Senate Armed Services Committee that "I think the consensus opinion is that when you look at those two trailers ... their actual intended use was not for the production of biological weapons."

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Given those assessments, I would appreciate knowing what is the intelligence basis for your statements that "we're quite confident [Saddam] did, in fact, have such a [mobile biological weapons labs] program," that the trailers "we believe were, in fact, part of that program," and that those trailers are "conclusive evidence" that Iraq "did, in fact, have programs for weapons of mass destruction?"

I would be pleased to receive that information on an unclassified or classified basis.

With respect to the second intelligence issue, during your interview with the *Rocky Mountain News* on January 9, 2004, you recommended a source of information relative to the issue of whether there was a relationship between al Qaeda and Iraq:

"One place you ought to look is an article that Stephen Hayes did in the *Weekly Standard* here a few weeks ago, that goes through and lays out in some detail, based on an assessment that was done by the Department of Defense and was forwarded to the Senate Intelligence Committee some weeks ago. That's your best source of information."

That article states that it is based on "a top secret U.S. government memorandum" prepared by the Defense Department, which was purportedly leaked to the *Weekly Standard*. The article then goes on to describe in detail and quote extensively from the document it says was leaked.

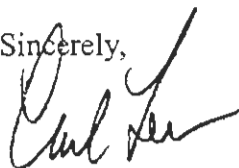
On October 15, 2003, the Defense Department had issued a News Release about the article that seems to disagree with what you said. According to the Defense Department, "News reports that the Defense Department recently confirmed new information with respect to contacts between al Qaeda and Iraq in a letter to the Senate Intelligence Committee are inaccurate."

Furthermore, the DOD news release noted that the "classified annex" sent by the Defense Department to the Senate Intelligence Committee "was not an analysis of the substantive issue of the relationship between Iraq and al Qaeda, and it drew no conclusions."

I would appreciate it if you would advise whether you were quoted accurately.

I look forward to your reply.

Sincerely,

A handwritten signature in black ink, appearing to read "Carl Levin", written over a horizontal line.

Carl Levin
Ranking Member